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U.S. Department of State

Sweden Country Report on Human Rights Practices for 1997

Released by the Bureau of Democracy, Human Rights, and Labor, January 30, 1998.

SWEDEN

Sweden is a constitutional monarchy and a multiparty parliamentary democracy. The King is Chief of State. The Cabinet, headed by the Prime Minister, exercises executive authority. The judiciary is independent of the Government.

The Government effectively controls the police, all security organizations, and the armed forces.

Sweden has an advanced industrial economy, mainly market-based, and a high standard of living, with extensive social welfare services. More than 90 percent of businesses are privately owned.

Human rights are deeply respected and widely protected. Swedes are entirely free to express their political preferences, pursue individual interests, and seek legal resolution of disputes. The Parliament, police, or an ombudsman investigate thoroughly all allegations of human rights violations, including the occasional allegation of police misconduct. Sweden's ombudsmen, appointed by the Parliament but with full autonomy, have the power to investigate any private complaints of alleged abuses by authorities and to prescribe corrective action if required. Sweden has one of the world's most equal distributions of income, but wage levels for women still lag behind those for men. There are occasional incidents of violence against minorities. The Government, political parties, and youth organizations have active programs to promote tolerance and combat racism. The Government has established programs to deal with violence against women.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Political and Other Extrajudicial Killing

There were no reports of political or other extrajudicial killings. On December 5, based upon evidence provided by new witnesses, prosecutors requested a new trial for Carl Gustav Christer Pettersson, the man who was convicted of assassinating Prime Minister Olof Palme on February 28, 1986, but was later freed on appeal. The Supreme Court is expected to decide by early 1998 whether or not to order a new trial.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits these abuses, and the authorities respect such prohibitions. There are occasional reports of the use of excessive force by police in arrests, but thorough investigations have not produced evidence of a systemic problem. Typically, police officers found guilty of abuse have been suspended or otherwise disciplined. Such disciplinary actions numbered less than a dozen nationwide and usually involved officers-in-training found unfit for permanent duty.

Prison conditions meet minimum international standards, and the Government permits visits by human rights monitors.

d. Arbitrary Arrest, Detention, or Exile

Arrests are public and by warrant. The police must lodge charges within 6 hours against persons detained for disturbing the public order or considered dangerous, and within 12 hours against those detained on other grounds. The law requires arraignment within 48 hours. The time between arrest and the first court hearing may be extended to 96 hours for detainees considered dangerous, likely to destroy evidence, or likely to flee. In cases involving more than one individual and in the case of foreigners, courts can and do order continued detention for 2 weeks at a time while police are investigating. Such detentions can be protracted, particularly in drug cases. Other than such dangerous suspects, detainees are routinely released pending trial. Bail as such does not exist. If a person files for bankruptcy and refuses to cooperate with the official investigation, a court may order detention for up to 3 months, with judicial review every 2 weeks.

The Government does not impose exile.

Convicted foreign criminals who are not permanent residents often are deported at the conclusion of their prison terms, unless they risk execution or other severe punishment in their home country.

e. Denial of Fair Public Trial

The Constitution forbids deprivation of liberty without a public trial by a court of law, and the Government respects this provision. The judiciary is free of governmental interference. The accused have the right to competent counsel, but the Government provides public defenders to indigents only in

cases where the maximum penalty could be a prison sentence of 6 months or more. Convicted persons have the right of appeal in most instances.

There were no reports of political prisoners.

f. Arbitrary Interference With Privacy, Family, Home, or Correspondence

The law limits home searches to investigations of crimes punishable by at least 2 years' imprisonment, such as murder, possession of narcotics, robbery, rape, arson, sabotage, counterfeiting, or treason. The authorities respect this provision. Normally, police must obtain court approval for a search or a wiretap. However, a senior police official may approve a search if time is a critical factor or the case involves a threat to life. A parliamentary committee each year reviews all monitoring of telephones, facsimile (fax), or computers. In June the Minister of Justice proposed that police be allowed to use wiretaps when investigating serious crimes. A special Ministry of Justice working group is scheduled to submit a report on this proposal in April 1998.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and the press, and the Government respects these provisions in practice. Most newspapers and periodicals are privately owned. The Government subsidizes daily newspapers, regardless of political affiliation. Broadcasters operate under a state concession. Until a few years ago the State had a monopoly over ground-based broadcasting, but a variety of commercial television channels (one ground-based, and several via satellite or cable) and several commercial radio stations now exist.

The Government may censor publications containing national security information. A quasi-governmental body excises extremely graphic violence from films, television programs, and videos.

Criticism of child pornography was widespread, and the debate on the legality of ownership of pornographic material continues. The Minister of Justice proposed legislation in December to outlaw ownership of child pornography. Although regarded by many as a limitation of the Freedom of the Press Act, the proposal reportedly has sufficient support to pass Parliament; no action was taken by year's end. It is already illegal to publish or distribute such material. In 1996 Sweden hosted the United Nations Conference on the Sexual Exploitation of Children. The Queen has emerged as a strong and popular advocate of children's rights and opponent of child pornography.

Academic freedom is respected.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of peaceful assembly and association, and the Government respects these rights in practice. Police require a permit for public demonstrations. However, the authorities routinely grant such permits, with rare exceptions to prevent clashes between antagonistic groups.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government does not hamper the teaching or

practice of any faith.

Sweden has maintained a state (Lutheran) church for several hundred years, supported by a general "Church Tax" (although the Government routinely grants any request by a taxpayer for exemption from that tax). After decades of discussion, however, in 1995 the Church of Sweden and the Government agreed to a formal separation. This reform will not become effective until the year 2000, and the Church will still receive some state support. As of 1996, citizens were no longer automatically members of the state church at birth. Sweden is tolerant of the diverse religions practiced there, including the Mormon faith and Scientology.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The law provides for free movement within, from, and returning to the country, and the Government respects these rights in practice. Foreigners with suspected links to terrorist organizations may be required to report regularly to police authorities, but may travel freely within Sweden. Courts must review the reporting requirement for each case at least once every 3 years.

The Government cooperates with the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees. The Government provides first asylum. Sweden has adopted an increasingly restrictive asylum policy. The Government has sent some asylum seekers back to "safe" countries through which they arrived in Sweden. The number of applications for asylum or residence permits dropped to an 11-year low of 5,753 in 1996, down from 9,047 in 1995. Sweden approved 4,800 residence applications during 1996, of which 15 percent were from refugees, and granted 2,550 individuals some form of protection. Nearly 11 percent of Sweden's population is foreign-born. The number of refugees increased by 65 percent compared with 1996. A total of 9,520 asylum seekers, approximately 3,000 of them Kurdish refugees from Iraq, arrived during the year.

There is an ongoing debate over the plight of asylum seekers who have submitted applications that are considered "manifestly unfounded," those coming to Sweden through a "safe third country," and those whose applications remain under consideration for unduly long periods of time, in some cases as long as 9 years. There have also been complaints of exceedingly accelerated procedures and inadequate legal safeguards for some asylum seekers, e.g., asylum seekers who were deported within 72 hours of arrival and did not receive access to lawyers. A broad interpretation of what constitutes a "safe third country" permits the return of applicants to a third country without consideration of whether that country has an asylum policy under which the applicant might be admitted. Asylum seekers are occasionally detained upon arrival in Sweden and, when awaiting deportation after a negative decision on their claim, in cases where the authorities fear flight to avoid deportation. Detention facilities are clean, comfortable, and relatively unrestricted. On occasion, when no other facility is available, asylum seekers are detained in remand prisons.

In 1996, 55,391 refugees from Bosnia and Herzegovina remained in Sweden, while 380 emigrated back to Bosnia. In total, Sweden has accepted over 100,000 refugees from the former Yugoslavia. The Government provides funds for Bosnians to travel to their homeland in order to determine if they wish to be repatriated. The Government, in hopes of raising that figure in 1997, increased financial incentives to return.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides ways and means for citizens to change the Government. Elections to the 349-member unicameral Parliament are held every 4 years. Suffrage is universal for citizens 18 years and

older, with secret balloting. Noncitizen residents have the right to participate in local (city and county) elections.

Women participate actively in the political process and Government. They currently compose 43 percent of the Parliament and half of the Cabinet. The governing Social Democratic Party largely has held to its pledge to place women in half of all political appointments at all levels.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Several private organizations actively monitor issues such as the impact of social legislation, anti-immigrant or racist activities, and the condition of the indigenous Sami population. The official ombudsmen also publicize abuses of state authority and have the right to initiate actions to rectify such abuses. Government agencies are in close contact with a variety of local and international groups working in Sweden and abroad to improve human rights observance.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution provides for equal rights for all citizens, and the Government respects this provision.

Women

Nearly 20,000 reported cases of assault against women took place in 1996, an increase of 1,400 over 1995. Most involved spousal abuse. In three-quarters of the assaults, the perpetrator was an acquaintance of the victim. Reported abuse against women occurs disproportionately in immigrant communities.

The law provides complainants protection from contact with their abusers, if so desired. In some cases the authorities help women obtain new identities and homes. Since 1994 the Government has provided electronic alarms or bodyguards for women in extreme danger of assault. Both national and local governments provide monetary support to volunteer groups that provide shelter and other assistance to abused women. The authorities strive to apprehend and prosecute abusers. Typically, the sentence for abuse is a prison term or psychiatric treatment. However, women complained about short sentences and early release of offenders.

The number of reported rapes rose by more than 20 percent to 2,600 in 1996 from 2,100 in 1995. In 1994 the number dropped somewhat to 1,800. Women's groups believe the increase in recent years is partly an effect of increased willingness to report rape (including spousal or "date" rape), but cannot rule out the possibility of a real increase resulting from worsened economic and social conditions. The law does not differentiate between spousal and nonspousal rape.

On December 11, the Ministry of Foreign Affairs announced that it would grant funds to the Foundation Women's Forum (FWF) for a project to prevent trafficking in women. The initial aim of the project is to identify and make a survey of voluntary organizations, authorities, and existing networks that work to prevent trafficking and to support and rehabilitate the victims. The survey is to cover European Union members and the FWF is to report the results of the project's initial stage to the Ministry for Foreign Affairs by June 30, 1998. There is no evidence of organized or large-scale trafficking in women taking place in Sweden.

The law prohibits sexual harassment. As with other forms of discrimination, women, may take complaints to the Equality Ombudsman in the Labor Ministry, the courts, or to their unions. The

Minister of Labor has planned to focus on increasing employers' responsibility to intervene in sexual harassment cases. A Government investigation recommended that employers who do not intervene against harassment at work should, for example, be obliged to pay damages to the victim.

The Deputy Labor Minister Ulrika Messing has the overall lead in the Government for equality issues, which apply to women and men equally. All government investigations and decisions must take equality considerations into account. Stockholm University's professor Dr. Agneta Stark is charged with the education of top public sector figures on matters of equality. The Social and Justice Ministries are deeply involved as well, especially concerning combating violence against women.

In 1997 journalistic investigations focused Swedish and international attention on Sweden's pre-1976 practice of forced sterilization. The majority of those sterilized were either mentally or physically disabled. Swedes had known for years that such operations took place under pre-World War II legislation. Between 1934 and 1976, 62,000 forced sterilizations were carried out, 95 percent of them on women. In September, the Government appointed a commission of academics and legal and medical experts to investigate the broad legal, socio-medical, and historic circumstances of the sterilizations. The commission, which is expected to conclude its inquiry by July 1, 1999, is to give priority to the question of damages to victims and will also look into the possible existence of other categories of victims. Since the 1980's, the Government has received 38 claims for compensation; the Government has provided compensation in 16 instances, noting formal errors committed in these cases. Individual ministers expressed regret and astonishment over the practice and how long it continued.

A study conducted by the U.N. Development Program (UNDP) in preparation for the U.N. Conference on Women gave Sweden the highest ranking on equality for women, with salaries averaging only 70 percent of men's. The law requires employers to treat men and women alike in hiring, promotion, and pay, including equal pay for comparable work. The Equality Ombudsman, a public official, investigates complaints of gender discrimination in the labor market. Women may also pursue complaints through the courts. A third option, and by far the most common, involves settling allegations using the employee's labor union as mediator. In 1996 129 women and 15 men registered gender discrimination cases with the Equality Ombudsman, of which 95 involved women claiming salary discrimination. Of the total, only 2 of the cases were eventually taken to court, 22 were solved by mediation, 26 were recalled, and 68 were either dropped because of the statute of limitations or insufficient substance, or resolved privately.

As a result, women increasingly have begun to turn to the courts in cases of individual discrimination. Women initiated several test cases of the "equal pay for comparable work" clause in 1995, with at least one court decision in their favor in 1996. This court case is widely expected to be precedent setting.

Children

Nine years of basic schooling are compulsory and are provided to all children at state expense (including transportation, books, and lunches). Municipalities are responsible for operating day care centers and pre-schools for children with working parents which are also open to others as space permits (many children begin full-time pre-school at 1 year of age). There are also state-subsidized family day care centers and "open" pre-schools (for part- or full-time attendance on a non-enrollment/drop-in basis) as well as leisure centers for after-school activities. Parents are provided with a government allowance worth approximately \$ 1,000 per year for each child under 16 years of age. Families with children can obtain a means-tested housing allowance. Children with certain severe disabilities have the right to a personal assistant. State-funded dental care is provided for children up to 19 years of age. Ninety-nine percent of all expectant mothers receive prenatal care and visit well-baby clinics. Infant mortality rates are extremely low (4.8 deaths per 1,000 in the first year of life). Hospital care is state-funded for

children under 16 years of age. Since 1993 Sweden has had a Children's Ombudsman to safeguard children's interests and rights. The Ombudsman also ensures that Sweden lives up to its obligations under the United Nations international Convention on the Rights of the Child. A nongovernmental organization, Children's Rights in Society, offers counseling to troubled youngsters.

The Government allocates funds to private organizations concerned with children's rights. Sweden remains active internationally in efforts to prevent child abuse. In 1997 the Queen established a charity campaign, "Children of the World," to raise funds for sexually abused children in the Baltics, rehabilitation of child soldiers in Liberia, and Mozambique's street children.

Although child abuse appears relatively uncommon, the public and authorities remain concerned by consistent data indicating an increase over the past several years. The number of reported cases for children under the age of 15 rose to 5,205 in 1995 from 4,400 in 1994. The first quarter of 1997, however, saw a decline in the number of cases to approximately 1,000. Many children's rights advocates believe this change reflects a true increase (as opposed to increased incidence of reporting) due to the strains imposed on families by the difficult economic situation.

The law prohibits parents or other caretakers from abusing children mentally or physically in any way. Parents, teachers, and other adults are subject to prosecution if they physically punish a child, including slapping or spanking. Children have the right to report such abuses to the police. The authorities respect these laws, and the usual sentence is a fine combined with counseling and monitoring by social workers. If the situation warrants, however, authorities may remove children from the home and place them in foster care. However, foster parents virtually never receive permission to adopt long-term foster children, even in cases where the parents are seen as unfit or seek no contact with the child. Critics charge that this policy places the rights of biological parents over the needs of children for security in permanent family situations.

People With Disabilities

The law prohibits discrimination against people with disabilities. The Government provides disabled persons with assistance aimed at allowing them to live as normal a life as possible, preferably outside an institutional setting. This includes educational aid, such as provision of personal tutors or assistants at all stages from day care to university studies, as well as assistance in the workplace, such as provision of a personal aide or improvement of the workplace's accessibility to wheelchairs. It also encompasses services such as home care or group living. Regulations for new buildings require full accessibility, but the Government has no such requirement for existing public buildings. As a result, many buildings remain inaccessible to disabled persons.

Indigenous People

Sweden counts at least 17,000 Sami (formerly known as Lapps) among its 8.85 million inhabitants (Sami organizations place that number somewhat higher, 25,000 to 30,000). In 1994 Sweden was the last of the Nordic countries to allow formation of a Sametinget, or Sami Parliament, as an advisory body to the Government. Under the current Government, Sami issues fall under the Ministry of Agriculture.

The Sami continue a protracted struggle for recognition as an indigenous people under a variety of international agreements, such as International Labor Organization (ILO) Convention 169. Historically, the Government has resisted granting the Sami such rights. For instance, Sami children had no right to education in their native language until provision of such education to immigrant children forced the Government to grant Sami at least equal treatment. As a result of such education, northern Sami dialects

have enjoyed a recent renaissance. Sami dialects in the southern portions of traditional Sami lands, however, now may have too few native speakers to survive as living languages.

Late in 1994 the Government removed from the Sami the right to control hunting and fishing activities on Sami village lands, permitting instead totally unlimited hunting and fishing activity on all government property. Sami leaders continued to protest this change in 1997.

Although some Sami state that they face discrimination in housing and employment on an individual basis, particularly in the southern mountain regions, the Government does not condone such discrimination.

Religious Minorities

For many years the Government has supported the activities of groups working to combat anti-Semitism. Two synagogues were vandalized in 1997.

National/Racial/Ethnic Minorities

Scattered acts of violence or harassment against minorities continue, usually from "skinheads" with neo-Nazi sympathies. Although the Government does not compile national statistics on such acts, one newspaper counted over 100 violent incidents with racist overtones in a recent year. Most violent incidents involved assault on lone immigrants by teenage skinheads. In 1996, an Arab-American on a visit to his sister in Sweden was attacked and severely beaten by skinheads.

Most estimates place the number of active neo-Nazis at less than 2,000, and there appears to be little popular support for their activities or sentiments. Many Swedes doubt whether such youth actually embrace neo-Nazi ideology, and the Government supports activities by volunteer groups working against racism. The Government investigates and prosecutes race-related crimes, although in many clashes between Swedish and immigrant youth gangs, authorities judge both sides as at fault. In a 1996 case involving a 17-year old sentenced to 100 days community service for wearing neo-Nazi badges, the Supreme Court ruled that it can be illegal to wear xenophobic symbols or racist paraphernalia.

Section 6 Worker Rights

a. The Right of Association

The work force is 82.5 percent unionized. Career military personnel, police officers, and civilian government officials, as well as private sector workers in both manufacturing and service industries, are organized. Most business owners belong to counterpart employer organizations.

Unions and employer organizations operate independently of the Government and political parties (although the largest federation of unions has always been linked with the largest political party, the Social Democrats). The law protects the freedom of workers to associate and to strike, as well as for employers to organize and to conduct lockouts. Within limits protecting the public's immediate health and security, public employees also enjoy the right to strike. These laws are fully respected and are not challenged.

Unions have the right to affiliate with international bodies. They are affiliated with the International Confederation of Free Trade Unions and European Trade Union Confederation among others.

b. The Right to Organize and Bargain Collectively

Management-labor cooperation tends to be excellent and nonconfrontational. Labor and management, each represented by a national organization by sector (for example, retailers and engineering industries), negotiate framework agreements every 2 to 3 years. More detailed company-level agreements put such framework agreements into effect at the local level. Framework agreements entered into force in 1996, with most valid until 1998. A series of agreements involving smaller numbers of employers were concluded in the spring with very little conflict. In contrast with the recent past, most agreements with labor unions now provide for a degree of individualized pay, including merit bonuses.

The law provides both workers and employers with effective mechanisms for resolving complaints. The vast majority of complaints are resolved informally. Cases of an employer firing an employee for union activities are virtually unheard of; there were no reports of such cases in 1997. There were few strikes, approximately two per month, most of which involved fewer than 10 persons and minimal days lost, with one notable exception. In March 5,500 newspaper distributors went on strike for 2 days before their concerns were resolved.

In March the employers' association and unions representing 800,000 manufacturing employees reached an agreement on steps to prevent strikes and lockouts, such as requiring serious wage negotiations to start 3 months before a collective agreement expires and appointing a mediator if an agreement has not been reached after 2 months.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, and the authorities effectively enforce this ban. The law prohibits forced and bonded labor by children and the Government enforces this prohibition effectively.

d. Status of Child Labor Practices and Minimum Age for Employment

The law prohibits forced and bonded labor by children and the Government enforces this prohibition effectively (see Section 6.c.). Compulsory nine-year education ends at age 16, and the law permits full-time employment at that age under supervision of local authorities. Employees under age 18 may work only during daytime and under supervision. During summer and other vacation periods, children as young as 13 years may work part-time or in "light" work with parental permission. Union representatives, police, and public prosecutors effectively enforce this restriction. Sweden actively supports efforts to protect and improve children's rights. In September Sweden hosted a preparatory conference to the October International Conference on Child Labor held in Norway. In addition, the Government has earmarked about \$8 million of its aid budget to help fight child labor in impoverished countries.

e. Acceptable Conditions of Work

There is no national minimum wage law. Wages are set by collective bargaining contracts, which nonunion establishments usually observe as well. Even the lowest paid workers can maintain a decent standard of living for themselves and their families through substantial benefits (such as housing or day care support) provided by social welfare entitlement programs. However, cutbacks in these programs have made it harder for some workers to make ends meet, particularly for low-paid single women with children.

The standard workweek is 40 hours or less. Both the law and collective bargaining agreements regulate overtime and rest periods. For workers not covered by a labor agreement, the law stipulates a limit for overtime at 200 hours a year, although exceptions may be granted for key employees with union approval; some collective bargaining agreements put the limit at 150 hours. The law requires a rest period after 5 hours of work but does not stipulate a minimum duration; in practice it is usually 30 minutes. The law also provides all employees with a minimum of 5 weeks of paid annual leave; labor contracts often provide more, particularly for higher ranking private sector employees and older public service workers. In 1997 Sweden passed a new labor law making it easier for employers to hire workers for limited periods, as well as empowering local unions to agree to exceptions to last-in, first-out laws.

Occupational health and safety rules are set by a government-appointed board and monitored by trained union stewards, safety ombudsmen, and, occasionally, government inspectors. These standards are very high, making workplaces both safe and healthy. Safety ombudsmen have the authority to stop unsafe activity immediately and to call in an inspector. An individual also has the right to halt work in dangerous situations in order to consult a supervisor or safety representative.

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